

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR20-094 RSM
Plaintiff,)
)
v.)
) DETENTION ORDER
ELIAS NEFTALI MONTES-SEVILLA,)
)
Defendant.)
_____)

Offense charged: Conspiracy to Distribute Controlled Substances; Asset Forfeiture
Allegations

Date of Detention Hearing: August 28, 2020.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

01 1. Defendant has been charged with a drug offense, the maximum penalty of which
02 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to
03 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

04 2. Defendant is a native and citizen of Honduras, with few ties to this District or
05 the United States. He has family in Honduras, including parents, and his children. He owns
06 property in that country. His employment in the construction field in the Seattle area has been
07 for cash, and he was not able to provide the names of the companies. His criminal record
08 includes prior drug charges and several prior immigration offenses.

09 3. Taken as a whole, the record does not effectively rebut the presumption that no
10 condition or combination of conditions will reasonably assure the appearance of the defendant
11 as required and the safety of the community.

12 It is therefore ORDERED:

- 13 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
14 General for confinement in a correction facility separate, to the extent practicable, from
15 persons awaiting or serving sentences or being held in custody pending appeal;
- 16 2. Defendant shall be afforded reasonable opportunity for private consultation with
17 counsel;
- 18 3. On order of the United States or on request of an attorney for the Government, the person
19 in charge of the corrections facility in which defendant is confined shall deliver the
20 defendant to a United States Marshal for the purpose of an appearance in connection
21 with a court proceeding; and
- 22 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel

01 for the defendant, to the United States Marshal, and to the United State Pretrial Services
02 Officer.

03 DATED this 28th day of August, 2020.

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06 Mary Alice Theiler
07 United States Magistrate Judge
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